

### **Remarks**

The Office Action mailed February 8, 2005 has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1, 3-14, 16-26, and 28-45 are now pending in this application. Claims 1, 3-14, 16-26, and 28-45 are rejected. Claims 2, 15, and 27 have been canceled without prejudice, waiver, or disclaimer. Claims 1, 3, 14, 16, 19, and 25 have been amended. No new matter has been added.

The rejection of Claims 3 and 16 under 35 U.S.C §112, second paragraph, is respectfully traversed. Applicants have amended 3 and 16 and respectfully submit that Claims 3 and 16 particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. Accordingly, Applicants respectfully request that the section 112 rejection to Claims 3 and 16 be withdrawn.

The rejection of Claims 1, 5, 11-14, 18, 25, and 26 under 35 U.S.C. § 102(e) as being anticipated by Rofrano (U.S. Patent No. 6,035,283) is respectfully traversed.

Rofrano describes a method for employing an electronic catalog system. In the method, when a feature is selected, all unique values for the feature are displayed, such as, a limitation of being red, blue, or green (column 3, lines 55-57). When an actual customer selects an answer that has feature constraints associated with the answer, products in a category are constrained by the feature and a new product count of the remaining products is displayed (column 4, lines 34-38). When the actual customer has answered all questions, the products remaining that meet all criteria are presented in a list or by a side-by-side comparison (column 4, lines 39-42).

Claim 1 recites a method for production selection assistance, the method comprising “receiving a product category selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix

comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question relating to the at least one product configuration parameter displayed in the product matrix, wherein said presenting the product configuration question comprises presenting the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein said responsively updating comprises removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a method for production selection assistance as recited in Claim 1. Specifically, Rofrano does not describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes displacing the selected product configuration parameter to a

visible location outside the product matrix. For the reasons set forth above, Claim 1 is submitted to be patentable over Rofrano.

Claims 5 and 11-13 depend directly from independent Claim 1. When the recitations of Claims 5 and 11-13 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 5 and 11-13 likewise are patentable over Rofrano.

Claim 14 recites a product selection assistance tool comprising “a communication interface; a processing circuit coupled to the communication interface; and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for: receiving a product category selection over the communication interface; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, the product configuration question based on a selected product configuration parameter chosen from the at least one product configuration parameter, wherein the instructions for responsively updating include instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a product selection assistance tool as recited in Claim 14. Specifically, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a

visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions for displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 14 is submitted to be patentable over Rofrano.

Claim 18 depends directly from independent Claim 14. When the recitations of Claim 18 are considered in combination with the recitations of Claim 14, Applicants submit that dependent Claim 14 likewise is patentable over Rofrano.

Claim 25 recites a computer program product comprising “a storage medium readable by a processing circuit and storing for execution by the processing circuit: instructions for receiving a product category selection; instructions for matching the product category selection against a product database to determine a plurality of matched products; instructions for displaying product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; instructions for presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix, wherein said instructions for presenting include instructions configured to present the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; instructions for receiving a product configuration answer; and instructions for responsively updating the

product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a computer program product as recited in Claim 25. Specifically, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 25 is submitted to be patentable over Rofrano.

Claim 26 depends directly from independent Claim 25. When the recitations of Claim 26 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claim 26 likewise is patentable over Rofrano.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1, 5, 11-14, 18, 25, and 26 under 35 U.S.C. 102(e) be withdrawn.

The rejection of Claims 3, 16, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Rofrano is respectfully traversed.

Rofrano is described above.

Claim 3 depends directly from independent Claim 1 which recites a method for production selection assistance, the method comprising “receiving a product category selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question relating to the at least one product configuration parameter displayed in the product matrix, wherein said presenting the product configuration question comprises presenting the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein said responsively updating comprises removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a method for production selection assistance as recited in Claim 1. Specifically, Rofrano does not describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix. Rather,

Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 1 is submitted to be patentable over Rofrano.

When the recitations of Claim 3 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claim 3 likewise is patentable over Rofrano.

Claim 16 depends directly from independent Claim 14 which recites a product selection assistance tool comprising “a communication interface; a processing circuit coupled to the communication interface; and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for: receiving a product category selection over the communication interface; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, the product configuration question based on a selected product configuration parameter chosen from the at least one product configuration parameter, wherein the instructions for responsively updating include

instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a product selection assistance tool as recited in Claim 14. Specifically, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions for displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 14 is submitted to be patentable over Rofrano.

When the recitations of Claim 16 are considered in combination with the recitations of Claim 14, Applicants submit that dependent Claim 16 likewise is patentable over Rofrano.

Claim 28 depends directly from independent Claim 25 which recites a computer program product comprising “a storage medium readable by a processing circuit and storing for execution by the processing circuit: instructions for receiving a product category selection; instructions for matching the product category selection against a product database



to determine a plurality of matched products; instructions for displaying product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; instructions for presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix, wherein said instructions for presenting include instructions configured to present the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; instructions for receiving a product configuration answer; and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a computer program product as recited in Claim 25. Specifically, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration

answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 25 is submitted to be patentable over Rofrano.

When the recitations of Claim 28 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claim 28 likewise is patentable over Rofrano.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 3, 16, and 28 under 35 U.S.C. 103(a) be withdrawn.

The rejection of Claims 30-37 and 42-45 under 35 U.S.C. § 103(a) as being unpatentable over Rofrano is respectfully traversed.

Rofrano is described above.

Claims 30-33 depend directly from independent Claim 1 which recites a method for production selection assistance, the method comprising “receiving a product category selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question relating to the at least one product configuration parameter displayed in the product matrix, wherein said presenting the product configuration question comprises presenting the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein said responsively updating comprises removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a method for production selection assistance as recited in Claim 1. Specifically, Rofrano does not describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 1 is submitted to be patentable over Rofrano.

When the recitations of Claims 30-33 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 30-33 likewise are patentable over Rofrano.

Claims 34-37 depend directly from independent Claim 14 which recites a product selection assistance tool comprising “a communication interface; a processing circuit coupled to the communication interface; and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for: receiving a product category selection over the communication interface; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a

model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, the product configuration question based on a selected product configuration parameter chosen from the at least one product configuration parameter, wherein the instructions for responsively updating include instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a product selection assistance tool as recited in Claim 14. Specifically, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions for displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 14 is submitted to be patentable over Rofrano.

When the recitations of Claims 34-37 are considered in combination with the recitations of Claim 14, Applicants submit that dependent Claims 34-37 likewise are patentable over Rofrano.

Claims 42-45 depend directly from independent Claim 25 which recites a computer program product comprising “a storage medium readable by a processing circuit and storing for execution by the processing circuit: instructions for receiving a product category selection; instructions for matching the product category selection against a product database to determine a plurality of matched products; instructions for displaying product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; instructions for presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix, wherein said instructions for presenting include instructions configured to present the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; instructions for receiving a product configuration answer; and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix.”

Rofrano does not describe or suggest a computer program product as recited in Claim 25. Specifically, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions configured to displace the selected product configuration

parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Accordingly, Rofrano does not describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 25 is submitted to be patentable over Rofrano.

When the recitations of Claims 42-45 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claims 42-45 likewise are patentable over Rofrano.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 30-37 and 42-45 under 35 U.S.C. 103(a) be withdrawn.

In addition to the arguments set forth above, Applicant respectfully submits that the Section 103 rejections of Claims 3, 16, 28, 30-37, and 42-45 are not proper rejections. As is well established, the mere assertion that it would have been obvious to one of ordinary skill in the art to have modified Rofrano to obtain the claimed recitations of the present invention does not support a prima facie obvious rejection. Rather, each allegation of what would have been an obvious matter of design choice must always be supported by citation to some reference work recognized as standard in the pertinent art and the Applicants given the opportunity to challenge the correctness of the assertion or the notoriety or repute of the cited reference. Applicants have not been provided with the citation to any reference supporting the combination made in the rejection. The rejections, therefore, fail to provide the

Applicants with a fair opportunity to respond to the rejections, and fails to provide the Applicants with the opportunity to challenge the correctness of the rejection. Of course, such combinations are impermissible, and for this reason alone, Applicants request that the Section 103 rejections of Claims 3, 16, 28, 30-37, and 42-45 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 3, 16, 28, 30-37, and 42-45 under 35 U.S.C. 103(a) be withdrawn.

The rejection of Claims 4, 6-10, 17, 19-24, 29, and 38-41 under 35 U.S.C. § 103(a) as being unpatentable over Rofrano in view of Sammon, Jr. et al. (U.S. Patent No. 6,012,051) is respectfully traversed.

Rofrano is described above.

Sammon, Jr. et al. describe a method in which a question and answer sequencer (101) includes a script of HTML (Hypertext Markup Language) pages which specifies an order of a set of pages (104), including a first page (105) for a first set of attributes, set A, a second page (106) for attribute set B, a third page (107) for attribute set C and so on throughout an entire attribute hierarchy (column 5, lines 55-62). In the method, after a user provides input, a count of a number of remaining items in a domain is presented adjacent each tab in a navigation bar E (column 12, lines 32-35). Thus, for a first tab (200), the number of remaining items is 728 representing all cars in the domain (column 12, lines 34-37). In the example, in a second tab (201), a user made choices which narrowed the field to about 600 (column 12, lines 37-38). In a third tab (202), the user made choices which narrowed the field to about 400 (column 12, lines 38-40). In a fourth tab (203), the user made choices which narrowed the field to about 350 (column 12, lines 40-41). The user makes choices and specify requirements and preferences in a fifth tab (204) for performance which may narrow the range of choices further (column 12, lines 41-44).

Claims 4 and 6-10 depend directly from independent Claim 1 which recites a method for production selection assistance, the method comprising "receiving a product category

selection; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question relating to the at least one product configuration parameter displayed in the product matrix, wherein said presenting the product configuration question comprises presenting the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein said responsively updating comprises removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix.”

Neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest a method for production selection assistance as recited in Claim 1. Specifically, Neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes removing the selected product configuration parameter from the product matrix and displacing the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Sammon, Jr. et al. further describe presenting a count of a number of remaining items in a domain after a user provides an input. Accordingly, neither Rofrano nor Sammon, Jr. et al., considered



alone or in combination, describe or suggest responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where responsively updating includes displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 1 is submitted to be patentable over Rofrano in view of Sammon, Jr. et al.

When the recitations of Claims 4 and 6-10 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 4 and 6-10 likewise are patentable over Rofrano in view of Sammon, Jr. et al.

Claims 17 depends directly from independent Claim 14 which recites a product selection assistance tool comprising “a communication interface; a processing circuit coupled to the communication interface; and a memory coupled to the processing circuit, the memory storing, for execution by the processing circuit, instructions for: receiving a product category selection over the communication interface; matching the product category selection against a product database to determine a plurality of matched products; displaying a product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix; receiving a product configuration answer; and responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, the product configuration question based on a selected product configuration parameter chosen from the at least one product configuration parameter, wherein the instructions for responsively updating include instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a visible location outside the product matrix.”

Neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest a product selection assistance tool as recited in Claim 14. Specifically, neither

Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions to remove the selected product configuration parameter from the product matrix and instructions for displacing the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Sammon, Jr. et al. describe specifying an order of a set of pages, including a first page for a first set of attributes, a second page for an attribute set B, a third page for an attribute set C and so on throughout an entire attribute hierarchy. Sammon, Jr. et al. further describe presenting a count of a number of remaining items in a domain after a user provides an input. Accordingly, neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions for displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 14 is submitted to be patentable over Rofrano in view of Sammon, Jr. et al.

When the recitations of Claim 17 are considered in combination with the recitations of Claim 14, Applicants submit that dependent Claim 17 likewise is patentable over Rofrano in view of Sammon, Jr. et al.

Claim 19 recites a product selection assistance Internet web page comprising "a matrix panel comprising a product matrix displaying a plurality of products using individual

product entries comprising a model identifier and at least one product configuration parameter associated with the products; and a product configuration panel displaying a product configuration question and accepting a product configuration answer, the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein the product configuration question relates to the at least one product configuration parameter displayed in the product matrix, the product configuration question based on a selected product configuration parameter chosen from the at least one product configuration parameter, and wherein the product matrix is responsively updated by removing the selected product configuration parameter from the product matrix and by displacing the selected product configuration parameter to a visible location outside the product matrix.”

Neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest a product selection assistance Internet web page as recited in Claim 19. Specifically, neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix, where the product matrix is responsively updated by removing the selected product configuration parameter from the product matrix and by displacing the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Sammon, Jr. et al. describe specifying an order of a set of pages, including a first page for a first set of attributes, a second page for an attribute set B, a third page for an attribute set C and so on throughout an entire attribute hierarchy. Sammon, Jr. et al. further describe presenting a count of a number of remaining items in a

domain after a user provides an input. Accordingly, neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest the product matrix responsively updating based on the product configuration answer to eliminate at least one product entry in the product matrix, where the product matrix is responsively updated by displacing the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 19 is submitted to be patentable over Rofrano in view of Sammon, Jr. et al.

Claims 20-24 and 38-41 depend directly from independent Claim 19. When the recitations of Claims 20-24 and 38-41 are considered in combination with the recitations of Claim 19, Applicants submit that dependent Claims 20-24 and 38-41 likewise are patentable over Rofrano in view of Sammon, Jr. et al.

Claim 29 depends directly from independent Claim 25 which recites a computer program product comprising "a storage medium readable by a processing circuit and storing for execution by the processing circuit: instructions for receiving a product category selection; instructions for matching the product category selection against a product database to determine a plurality of matched products; instructions for displaying product matrix comprising a product entry for each of the matched products, each product entry comprising a model identifier and at least one product configuration parameter associated with the matched products; instructions for presenting a product configuration question related to the at least one product configuration parameter displayed in the product matrix, wherein said instructions for presenting include instructions configured to present the product configuration question associated with a selected product configuration parameter chosen from the at least one product configuration parameter; instructions for receiving a product configuration answer; and instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, wherein the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions

configured to displace the selected product configuration parameter to a visible location outside the product matrix.”

Neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest a computer program product as recited in Claim 25. Specifically, neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to remove the selected product configuration parameter from the product matrix and instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix. Rather, Rofrano describes displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further describes constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also describes presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Sammon, Jr. et al. describe specifying an order of a set of pages, including a first page for a first set of attributes, a second page for an attribute set B, a third page for an attribute set C and so on throughout an entire attribute hierarchy. Sammon, Jr. et al. further describe presenting a count of a number of remaining items in a domain after a user provides an input. Accordingly, neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest instructions for responsively updating the product matrix based on the product configuration answer to eliminate at least one product entry in the product matrix, where the instructions for responsively updating include instructions configured to displace the selected product configuration parameter to a visible location outside the product matrix. For the reasons set forth above, Claim 25 is submitted to be patentable over Rofrano in view of Sammon, Jr. et al.

When the recitations of Claim 29 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claim 29 likewise is patentable over Rofrano in view of Sammon, Jr. et al.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 4, 6-10, 17, 19-24, 29, and 38-41 under 35 U.S.C. 103(a) be withdrawn.

Moreover, Applicants respectfully submit that the Section 103 rejection of Claims 4, 6-10, 17, 19-24, 29, and 38-41 is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Rofrano nor Sammon, Jr. et al., considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Rofrano with Sammon, Jr. et al. because there is no motivation to combine the references suggested in the cited art itself.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP §2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is

impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected from multiple patents in an attempt to arrive at the claimed invention. Specifically, Rofrano teaches displaying all unique values, such as, a limitation of being red, blue, or green, for a feature when the feature is selected. Rofrano further teaches constraining products in a category by a feature and displaying a new product count of the remaining products when an actual customer selects an answer that has feature constraints associated with the answer. Rofrano also teaches presenting the remaining products that meet all criteria in a list when a customer has answered all questions. Sammon, Jr. et al. teach specifying an order of a set of pages, including a first page for a first set of attributes, a second page for an attribute set B, a third page for an attribute set C and so on throughout an entire attribute hierarchy. Sammon, Jr. et al. further teach presenting a count of a number of remaining items in a domain after a user provides an input. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 4, 6-10, 17, 19-24, 29, and 38-41 be withdrawn.

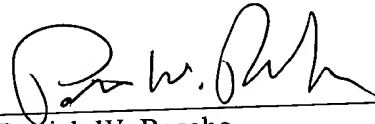
For at least the reasons set forth above, Applicants respectfully request that the rejections of Claims 4, 6-10, 17, 19-24, 29, and 38-41 under 35 U.S.C. 103(a) be withdrawn.

The provisional rejection of Claims 1, 3-13, and 30-33 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-16 in copending U.S. Patent Application No. 09/681,393, of Claims 14, 16-18, and 34-38 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 17-29 in the copending U.S. Patent Application, and of Claims 25, 26, 29, and 42-45 under the judicially created doctrine of obviousness-type double patenting as being

unpatentable over Claims 30-35 in the copending U.S. Patent Application, is respectfully traversed. Applicants respectfully submit Claims 1, 17, 19, and 30, in copending U.S. Patent Application No. 09/681,393, were amended in an amendment mailed January 26, 2005. Moreover, Claims 1, 14, 19, and 25 in the present patent application have been amended. Claims 3-13 and 30-33 depend, directly or indirectly, from independent Claim 1, Claims 16-18 and 34-37 depend directly from independent Claim 14, Claims 38 depends directly from independent Claim 19, and Claims 26, 29, and 42-45 depend directly from independent Claim 25. For at least the reasons given above, Applicants respectfully request that the provisional double patenting rejections of Claims 1, 3-14, 16-18, 25, 26, 29, 30-38, and 42-45 be withdrawn.

In view of the foregoing remarks, this application is believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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